

In the Matter of)
)
IP Enabled Services) WC Docket 04-36

Intrado Inc. (Intrado)¹ hereby submits these reply comments in response to the Federal Communication Commission's (Commission) Notice of Proposed Rulemaking (NPRM) examining issues related to services and applications making use of Internet protocol, including, but not limited to Voice over Internet Protocol (VoIP) services (collectively, IP enabled services). The scope of the NPRM includes both applications and services.

DISCUSSION

¹ Founded in 1979, Intrado (NasdaqNM: TRDO) is the nation's leading provider of sophisticated solutions that identify, manage and deliver mission critical information for telecommunications providers and public safety organizations.

mandated wireless E911 services in CC Docket No. 94-102.² Now in the year 2004, a new breed of company has arrived on the scene offering voice communications through VoIP technology. Not all IP enabled service providers are the same, however. Some simply supply a software application that resides on a Personal Computer and enables voice communications with any other end user that employs similar technology. This arrangement does not require a 10-digit telephone number or investment in communications facilities. Other companies provide customers with a 10-digit telephone number to extend voice communications capabilities through traditional telephony mechanisms. Finally, a third category of companies provide the software application, the 10 digit number and the communications facilities required to transport digitized voice traffic.

Intrado believes that all IP enabled service providers should: (i) be required to connect emergency calls placed by their subscribers into the 911 system; and (ii) have nondiscriminatory access to such 911 systems. The importance of (ii) above cannot be understated, for even though many IP enabled service providers want to connect to and work within established 911 networks, they are not afforded equal access to 911 systems. As a result, such providers cannot deliver enhanced emergency 911 service to their customers comparable to that provided by traditional wireline voice providers, and instead must route 911 calls to 10-digit emergency PSAP³ telephone numbers. Such “non-native” emergency call delivery is not an acceptable long term solution.

As technology advances, the future 911 networks will allow for multiple voice and data providers to interface into the 911 networks. Without policy clarification on 911 equal access, the weight of future services could compromise the integrity of the nation’s 911 system. These 911 equal access issues cannot be remedied just through the application of technology, but also require policy reform, mostly at the State level. Without advanced 911 architecture, new technologies will continually face challenges of adapting to the existing 911 networks. At some point, an official alliance should establish requirements that create an open 911 architecture and require standards-based technologies. This approach will ensure ease of access and compliance with established levels of 911 services.

It is important to note that over the past 20 years, 911 systems have been established, governed and managed through effective and proficient local and State 911 policies. As the Commission works to establish rules that could affect the future of IP enabled services, care should be taken not to upset State 911 policy and negatively affect this well-established 911 root system. Thus, Commission intervention and clarification for 911 access is appropriate on a very limited basis with respect to the following aspects of 911 and IP enabled services.

- **911 Public Access.** As a matter of the health, safety and welfare of the general public, the Commission should establish that any entity that provides a

² See *Revision of the Commission’s Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102.

³ Public Safety Answering Point.

product or service that a consumer would reasonably expect to use to call for emergency assistance be required to interface with the existing 911 system. To not do so would (a) unnecessarily risk life and property and (b) create inequity in the commercial marketplace.

- **IP Enabled Service Provider Definition.** The Commission should define the term IP Enabled Service Provider exclusively for the purposes of 911 only. This would ensure that IP Enabled Service providers are treated essentially the same as traditional telecommunications carriers.⁴
- **911 Network Equal Access.** IP enabled service providers must be given nondiscriminatory access to incumbent 911 networks and data systems regardless of regulatory status or classification.
- **911 Levels of Service.** IP enabled service providers must provide 911 services that are comparable to landline or wireless 911 service offerings. As with wireless carriers, VoIP providers must provide PSAPs with the call back number and location of the calling party on a schedule to be determined by the Commission. The Commission should establish that the providers must comply with 911 service levels mandated by State laws and local policies.
- **Liability.** IP enabled service providers providing access to 911 should enjoy the same liability protections afforded wireless carriers pursuant to 47 U.S.C. § 615a.
- **Standards.** The Commission should recognize that certain levels of IP enabled enhanced 911 service may have technical compliance challenges due to the current 911 architecture. Consideration should be given to identifying a 911 standards body, such as ATIS/ESIF, which can develop recommended standards and appropriate technical solutions.
- **No State Preemption.** The Commission should not upset the exclusive jurisdiction of the States and localities over such matters as the provisioning and tariffing of 911, switching and transport, ANI/ALI, selective routing, MSAG data management, and all issues related to collection and remittance of all 9-1-1 fees and surcharges.
- **911 Deployment Schedule.** The Commission should consider establishing a timeframe for IP enabled service providers to connect to enhanced 911 networks. This schedule should not be overly onerous on IP enabled service providers and should allow them the necessary time to budget and plan for any advanced technology requirements.

⁴ We leave to others the broader question of whether this categorization should extend beyond 911, as that issue is not central to public safety or Intrado's particular expertise.

CONCLUSION

Intrado supports the Commission's efforts to promote a minimal set of regulations for IP enabled services that will promote the development of this rapidly growing industry. However, a "light hand approach" to regulation should not be equated with abdication of social responsibilities, i.e. the ability to deliver Enhanced 911 capabilities. As such, Intrado looks to the Commission to require IP enabled providers to ensure that their subscribers have access to 911 services comparable to those provided by traditional wireline and wireless voice providers. The Commission should require that IP enabled service providers be afforded non-discriminatory access to 911 networks. The Commission should ensure the integrity of the 911 networks, as well as preserve the quality of the 911 call back and location data by promulgating rules that establish connectivity of IP enabled 911 calls into 911 networks and require IP enabled service providers to participate and comply with local and State 911 laws. Lastly, Intrado believes that IP enabled service providers should be afforded the same levels of Liability protection as afforded to Wireless Carriers.

Respectfully Submitted,

/s/

Mary A. Boyd
Vice President Government and External
Affairs
Intrado Inc.
1601 Dry Creek Drive
Longmont, Colorado 80503
Telephone: (720) 494-5800
Facsimile: (720) 494-6600

Dated: July 14, 2004